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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Andication of: Marc Miquels et al.

Serial No.: 10/791,928

Filed: March 3, 2004

Date: April 25, 2006

Group Art Unit: 3727

OFGS File No.: P/327-32

For: STOPPER DEVICE FOR CONTAINERS, SUCH AS CYLINDERS, EQUIPPED WITH

A NECK OF THE WATER FOUNTAIN TYPE

Mail Stop AF

Commissioner for Patent

P.O. Box 1450

Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated January 25, 2006 of the Primary Examiner finally rejecting claims 1-4 and 6-10.

The Appeal Fee (\$250 - Small Entity) is

- [x] Enclosed
- [] Not required (fee paid in prior appeal)
- [] Charge to Deposit Account No. 15-0700

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700. In the event that the actual Appeal Fee is greater than the payment submitted herewith or is not enclosed, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 25, 2006: Keith J. Barkaus

Name of applicant, assignee or Registered Representative

Signature

April 25, 2006

Date of Signature

Respectfully submitted,

Keith J. Barkaufc:2401

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